

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the cartons containing the small bottles of the article, to wit, "Net weight twelve ounces," was false and misleading inasmuch as the quantity of the contents of each of the bottles was from 8.55 to 9 ounces; for the further reason that the statement in the booklet pertaining to and accompanying the article, namely, "Milks Emulsion contains a great amount of fat," was false and misleading since the article contained no fat; and for the further reason that the bottle label contained certain statements regarding the curative and therapeutic effects of the article, to wit, "A valuable remedy for dyspepsia, indigestion, catarrh of stomach and bowels * * * bronchial asthma, catarrhal croup, bronchitis * * * especially beneficial in incipient consumption," which were false and fraudulent inasmuch as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S487. Adulteration of salmon. U. S. * * * v. 721 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11526. I. S. Nos. 8188-r, 6567-r. S. No. C-1604.)

On November 25, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 721 cases, each containing 4 dozen cans of salmon, at Chicago, Ill., alleging that the article had been shipped by Libby, McNeill & Libby, from Minneapolis, Minn., April 12, 1919, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Libby's Red Alaska Salmon."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 13, 1920, Libby, McNeill & Libby, Chicago, Ill., claimant, having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be sorted under the supervision of a representative of this department, the bad portion to be destroyed by the United States marshal and the good portion to be delivered to said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

S488. Misbranding of peaches (in baskets). U. S. * * * v. Dalton B. Anderson. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 11992. I. S. No. 9101-r.)

On April 19, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dalton B. Anderson, Ozark, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 26, 1919, from the State of Arkansas into the State of Illinois, of a quantity of an article, billed as peaches, which was misbranded. The article bore no label.